

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

2002 Biennial Regulatory Review -		
Review of the Commission's Broadcast	)	
Ownership Rules and Other Rules Adopted	)	
Pursuant to Section 202 of the		MB Docket No. 02-277
Telecommunications Act of 1996	)	
	)	
Rules and Policies Concerning Multiple		MM Docket No. 01-317
Ownership of Radio Broadcast Stations		
in Local Markets		
	)	
Definition of Radio Markets	)	MM Docket No. 00-244

To: The Secretary

**Notice of Ex Parte Presentation**

NM Licensing LLC ("NextMedia") submits the following information concerning the ex parte presentation made on its behalf to Honorable Kevin Martin by Matthew Leibowitz and Samuel Weller on May 29, 2003:

(A) NextMedia's position, as contained in its comments filed in MM Docket No. 00-244 is that the Commission should retain its current methodology for determining a radio station's market.

(B) NextMedia proposes that, if an Arbitron market definition is adopted for purposes of radio multiple ownership rules, some mechanism should be created to provide relief to station combinations which do not provide City Grade signals to at least 50% of the market's population. See Attached "Proposed Modification of Arbitron Market Definitions"

(C) NextMedia believes that the attached maps comparing NextMedia and Clear Channel coverage of the Chicago Arbitron Market illustrates the types of coverage disparities that can exist in an Arbitron Market.

(D) NextMedia submits that the attached data on Chicago Market revenues and ratings illustrates that 12 radio stations operating in smaller local communities in a large Arbitron market can compete locally, without any significant impact on overall market concentration.

Respectfully submitted,



Joseph A. Belisle  
Counsel for  
NM Licensing LLC

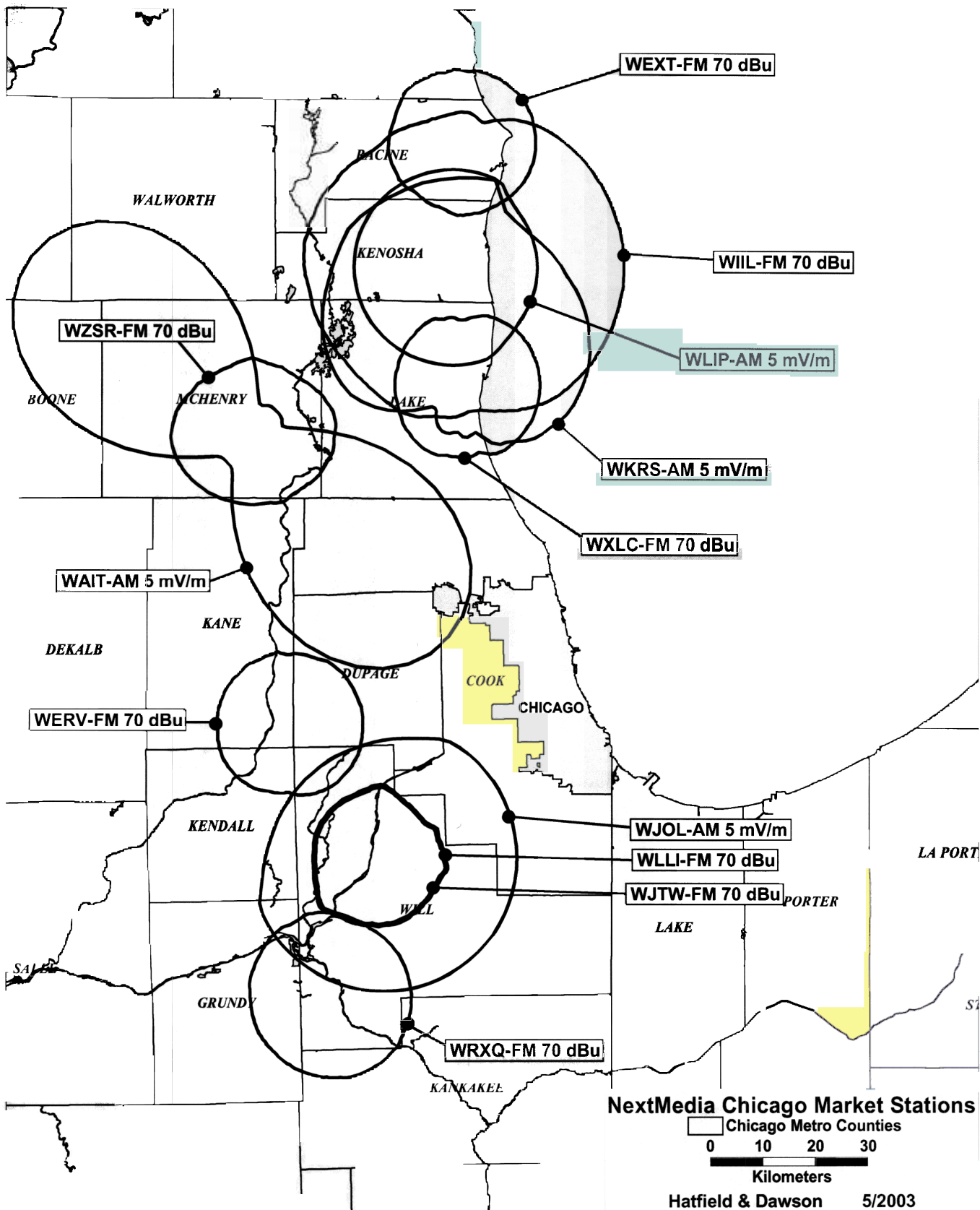
Leibowitz & Associates, P.A.  
One S.E. Third Avenue, Suite 1450  
Miami, Florida 33131-1715  
(305) 530-1322 Telephone

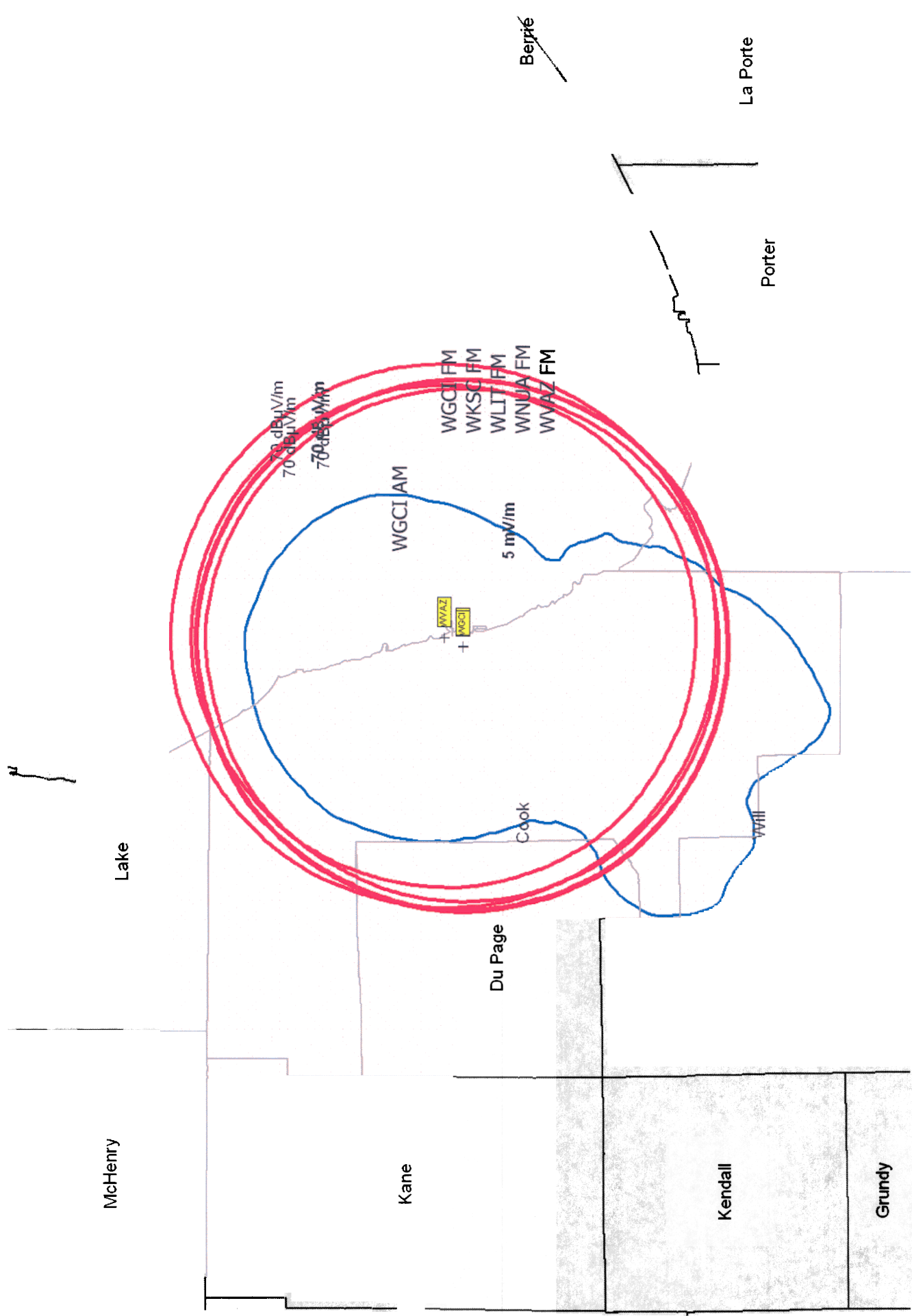
May 30, 2003

**NEXTMEDIA GROUP, INC.  
PROPOSED MODIFICATION  
OF  
ARBITRON RADIO MARKET DEFINITION**

While we strongly disagree with use of Arbitron to determine radio market definitions, we may have come up with a partial answer to the problems we discussed concerning smaller and medium broadcast licensees serving smaller local communities within the Arbitron metro market definition.

If a licensee does not own stations within an Arbitron market that has a cumulative unduplicated 50% of the population within the Arbitron market, then that licensee's market within the Arbitron market would be determined by the existing overlap methodology.





Clear Channel



6312 South Fiddler's Green Circle  
Suite 360E  
Englewood, Colorado 80111  
(303) 694-9118  
Fax (303) 694-4940

### **Chicago Revenue**

550-575 Million  
NextMedia Network 2.0 million  
Less than 1/2 of 1%

### **NextMedia Revenue**

89% Local  
11% National/General Market



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**Chicago Station 12+ Metro**

<b>NextMedia</b>	<b>Spring 02</b>	<b>Fall 02</b>
WAIT-AM	0.3	0.3
WBVS-FM	0.2	0.1
WERV-FM	0.4	0.5
WEXT-FM	0.2	0.1
WHL-FM	0.5	0.6
WJOL-FM	0.1	0.0
WJTW-FM	0.2	0.3
WKRS-AM	0.0	0.1
WLIP-AM	0.1	0.1
WLLI-FM	0.5	0.4
WXLC-FM	0.4	0.2
WZSR-FM	0.8	0.5
<b>TOTALS:</b>	<b>3.7</b>	<b>3.2</b>